

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

OLIVER et al

Serial No.: 09/700,492

Filed: January 5, 2001

For: REGULATED EXPRESSION OF PKC AND/OR SRB1/PSA1 IN YEAST

\* \* \* \* \*

January 10, 2001

SUBMISSION AND REFUND REQUEST

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

Submitted herewith is a Verified Statement (Declaration)  
Claiming Small Entity Status relating to the above-identified  
application.

In view of the attached, kindly refund one-half (\$952.00) of  
the \$1904.00 filing fee that was paid on November 16, 2000 to our  
account no. 141140 under Order No. 39-225.

When this is approved, please return a copy of this request  
marked "approved" directly to the undersigned for which purposes  
this request is submitted in triplicate.

Respectfully submitted,

NIXON &amp; VANDERHYTE, P.C.

By

*Mary J. Wilson*  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 39-225

C# M#

OLIVER et al.

Group Art Unit: Not Yet Assigned

Serial No. 09/700,492

Examiner: Not Yet Assigned

Filed: January 5, 2001

Date: January 10, 2001

Title: REGULATED EXPRESSION OF PKC AND/OR SRB1/PSA1 IN YEAST

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**SUBMISSION AND REFUND REQUEST**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 80.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)	\$ 0.00
--	---------

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months)	\$ 0.00
--	---------

Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
---	---------

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered, filed	
<input type="checkbox"/> Submission attached	

<input type="checkbox"/> Request for Continued Examination pursuant to 37 C.F.R. § 1.114 (\$710.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered, filed	
or <input type="checkbox"/> Required submission attached	

<b>Subtotal</b>	<b>\$ 0.00</b>
-----------------	----------------

If "small entity," then enter half (1/2) of subtotal and subtract	
<input type="checkbox"/> This application is entitled to "Small entity" status. <input type="checkbox"/> "Small entity" statement attached.	-\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
--	---------

Assignment Recording Fee (\$40.00)	\$ 0.00
------------------------------------	---------

Other:	0.00
--------	------

<b>TOTAL FEE ENCLOSED</b>	<b>\$ 0.00</b>
---------------------------	----------------

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYTE P.C.  
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson  
US PATENT & TRADEMARK

2001 JAN 11 PM 3:30

OFFICE OF FINANCE  
REFUND OF FEES

489468

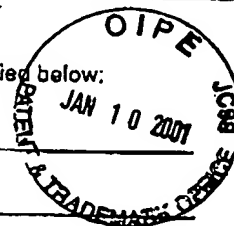
Applicant or Patentee: Stephen G. OLIVER, Lubomira I. STATEVA and Nianshu ZHANG OMB NO. 0651-0011 (12/3/186)  
 Serial or Patent No.: \_\_\_\_\_ Attorney's  
 Filed or Issued: \_\_\_\_\_ Dkt. No.: 39-225

For: REGULATED EXPRESSION OF PKC AND/OR SRB1/PSA1 IN YEAST

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 1.9(f) and 1.27 (c)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION THE VICTORIA UNIVERSITY OF MANCHESTER  
 ADDRESS OF ORGANIZATION OXFORD ROAD, MANCHESTER, M13 9PL, UNITED KINGDOM



#### TYPE OF NONPROFIT ORGANIZATION

- ☒ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))  
☐ Nonprofit scientific or educational under statute of state of The United States of America  
 (Name of state \_\_\_\_\_)  
 (Citation of statute \_\_\_\_\_)  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States  
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America  
 (Name of state \_\_\_\_\_)  
 (Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ application identified above.  
☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☐ each such person, concern or organization is listed below.

"Separate verified statement is requested from each person, concern or organization named immediately above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)"

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING NEIL FERGUSON  
 TITLE IN ORGANIZATION HEAD, RGSU  
 ADDRESS OF PERSON SIGNING RGSU, UNIVERSITY OF MANCHESTER, MANCHESTER M13 9PL  
 SIGNATURE [Signature] DATE 13/12/2000